

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-19 are currently pending. Claim 1 is hereby amended and claims 3 and 4 are canceled. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed.

### **II. REJECTIONS UNDER 35 U.S.C. § 102 and § 103**

In the Office Action, claims 1, 2, 7, 8, 14, 15, and 19 are rejected under 35 U.S.C. § 102(b) as allegedly anticipated by ZA 2001/7995 ("ZA'995"). Claims 1-3, 7-9, and 14-16 are rejected under § 102(b) as allegedly anticipated by U.S. Patent No. 5,611,828 to Celikkaya ("Celikkaya").

Independent claim 1 is presently amended to include the recitation of claim 4. Accordingly the § 102(b) rejection has been made moot.

Page 4 of the Office Action rejects claims 7-18 under 35 U.S.C. § 103(a) as unpatentable over ZA'995. On page 5 of the Office Action, claims 4-6 are rejected under § 103(a) as allegedly being unpatentable over Celikkaya in view of U.S. Patent No. 5,090,969 to Oki ("Oki") and JP 09-142932 ("JP'932"). The recitation of claim 4, now canceled, is incorporated in claim 1.

The Office Action relies on Celikkaya, Oki and JP'932 to teach boron powder combined with boric acid. As presently understood, Celikkaya discloses coating alumina particles with

boron using a boron source. Contrary to the assertion in the Office Action, Celikkaya does not disclose using any boron source. Rather, the reference defines “boron source” as “particulate sources of boron (e.g., amorphous or crystalline boron powder, boron carbide powder, organic or inorganic boron containing compounds) that provide boron when pyrolyzed under a non-oxidizing atmosphere.” *Celikkaya*, column 2, lines 14-18. There is no suggestion that a combination of boron-containing materials should be used. Further, as conceded in the Office Action, Celikkaya fails to disclose the use of boric acid, alone or in combination. For the combination of boron powder and boric acid, the Office Action looks to Oki and JP’932.

Oki, however, teaches a significantly different process than that claimed in the present application. The coating taught by Oki is applied by an immersion method using a molten salt bath. *Oki*, column 2, lines 57-58. In the one embodiment disclosing boron in Oki, a boron compound coating is applied to an abrasive in an immersion bath “by adding at least one of an oxide of boron, a boron alloy, and a boron-containing carbide ( $B_4C$ ) to a fluoride-containing molten halide bath.” *Oki*, column 3, lines 40-47. Contrary to the assertion in the Office Action, there is no teaching of a boron powder and a boron oxide combination. Further, the Oki method significantly differs from both the Celikkaya method and the claimed process. In particular, neither Celikkaya nor the process claimed in this application includes the use of a fluoride-containing molten halide bath as a requirement for boron coating as taught in Oki. Accordingly, one of ordinary skill in the art would not look to Oki to improve the process of Celikkaya.

Page 6 of the Office Action relies upon JP’932 to disclose the use of boric acid in combination with other boron oxides is known. However, the process disclosed by JP’932 uses a powdery mixture of boron oxide and boric acid to produce a sintered diamond compact. A sintered diamond compact is a body in which there is substantial diamond-to-diamond contact

and bonding. This would be obvious to one of ordinary skill in the art from the temperature and pressure conditions which are used, namely those at which diamond is crystallographically stable. The boron will be present in the sintered compact and assists in producing a chip and heat resistant sintered material. There is no coating of diamond or other abrasive particles in the reference. In particular, there is no **boron coated abrasive** as required by the claims. One of ordinary skill in the art of producing a boron coated abrasive as claimed would not look to a sintered compact as disclosed in JP'932 to improve the process of Celikkaya.

For at least the foregoing reasons, it is believed that revised independent claim 1 patentably distinguishes over the relied upon portions of ZA 2001/7995, Celikkaya, and Oki, either alone or in combination, and is therefore allowable. Further, claims 2-19, which depend from claim 1, are allowable as well.

The Examiner has made of record, but not applied, an additional document. The Applicant appreciates the Examiner's implicit finding that this document, whether considered alone or in combination with others, does not render the claims of the present application unpatentable.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicants' undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

**CONCLUSION**

In view of the foregoing, it is believed that the present application is in condition for allowance. Accordingly, Applicants' attorneys respectfully request that a timely Notice of Allowance be issued in this case.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,  
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